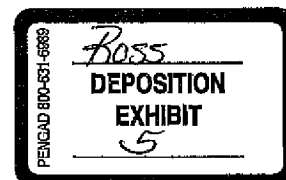


# Exhibit 5

From: Scott, Ross  
To: Thompson, Aaron M; Scott, Crain D; "Brad Edgerton"  
Subject: Supreme court accepted case.  
Date: Monday, April 04, 2011 11:41:08 AM



Gentlemen:

The court took the case;

Apr 4 2011	Motion for leave to file a petition is GRANTED.
Apr 4 2011	It is ordered that William J. Kayatta, Jr., Esquire, of Portland, Maine is appointed Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings, to direct subsequent proceedings, to summon witnesses, to issue subpoenas, and to take such evidence as may be introduced and such as he may deem it necessary to call for. The Special Master is directed to submit Reports as he may deem appropriate. The compensation of the Special Master, the allowances to him, the compensation paid to his legal, technical, stenographic and clerical assistants, the cost of printing his Reports, and all other proper expenses, including travel expenses, shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct.

Scott E. Ross, L.G.

Water Commissioner, Stockton Field Office  
Kansas Department of Agriculture, Division of Water Resources  
P.O. Box 192 (820 S. Walnut St.), Stockton, KS. 67669  
Phone No. 785-425-6787 FAX: 785-425-6842  
e-mail [scott.ross@kda.ks.gov](mailto:scott.ross@kda.ks.gov)

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